

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
NOV 18 2002

APPEARANCE, STIPULATION
AND ORDER

Case Number: 02-CV-1315

MACRODYNE, INC.,

LAWRENCE K. BAERMAN, CLERK
ALBANY Defendant.

(NPM/DRH)

PLEASE TAKE NOTICE that the law firm of Herzog, Engstrom & Koplovitz, P.C.

appears in this action upon behalf of the Defendant, Macrodyne, Inc. and that upon its request to the counsel for the Plaintiff it is stipulated, pursuant to Fed. R. Civ. P. 6(b) as follows:

The time for the Defendant to answer the complaint of the Plaintiff herein is hereby extended to and including January 2, 2003. That all other scheduling dates as fixed by the Court shall remain unchanged.

HERZOG, ENGSTROM, & KOPLOVITZ, P.C.

By:

JAMES M. REILLY, Esq.

Bar Roll Number: 102425

Attorneys for the Defendant

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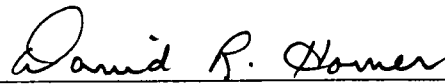
JOSEPH A. PAVONE, UNITED STATES
ATTORNEY FOR THE NORTHERN DISTRICT
OF NEW YORK

By:

Assistant United States Attorney

SO ORDERED

Dated: November 15, 2002
Albany, New York

A handwritten signature in cursive script, reading "David R. Homer", is written over a horizontal line.

Honorable David R. Homer
United States Magistrate Judge

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.

The undersigned being duly sworn, deposes and says that deponent is over the age of 18 years and that on the date of this affidavit deponent served the **APPEARANCE, STIPULATION AND ORDER** by depositing a true and correct copy of same properly enclosed in a post-paid wrapper, in an official depository maintained and exclusively controlled by the United States Post Office at Albany, New York, addressed as follows:

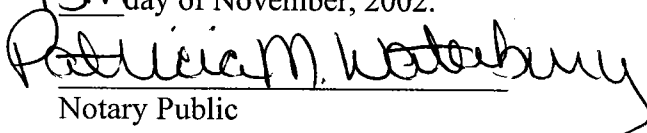
U. S. Attorney's Office
U.S. District Court Northern District
James T. Foley U.S. Courthouse, Room 231
445 Broadway
Albany, New York 12207

that being the address designated for that purpose upon the last papers served in this action or the place where the above addressees then resided or kept offices, according to the best information which can be conveniently obtained.



Susan Popiel

Sworn to before me on this
13th day of November, 2002.



Notary Public

PATRICIA M. WATERBURY
Notary Public, State of New York
No. 4807344
Qualified in Rensselaer County
Commission Expires December 31, 2002 